

EXHIBIT

DATE

HB

6
2/1/2013
133

Amendments to House Bill No. 133
1st Reading Copy

Requested by Representative Tom Berry

For the House Business and Labor Committee

Prepared by Bartley Campbell
February 1, 2013 (10:21am)

1. Title, line 7.

Following: "COUNSELORS"

Insert: "TO"

2. Title, line 10 through line 12.

Strike: "REVISING" on line 10 through "PHARMACY";" on line 12

3. Title, line 24.

Following: "SECTIONS"

Strike: "2-15-1740,"

4. Title, line 25.

Strike: "37-3-306,"

Following: "37-3-323,"

Strike: "37-7-101, 37-7-702,"

Following: "37-16-402,"

Insert: "37-17-104,"

5. Title, line 26.

Strike: "37-22-301,"

6. Page 2, line 6 through line 22.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 5, line 19 through page 6, line 18.

Strike: section 9 in its entirety

Renumber: subsequent sections

8. Page 8, line 1 through page 13, line 13.

Strike: sections 13 through 15 in their entirety

Renumber: subsequent sections

9. Page 15, line 10.

Strike: "21"

Insert: "16"

10. Page 15, line 11.

Strike: "19"

Insert: "14"

11. Page 15, line 22.

Strike: "19 through 24"

Insert: "14 through 19"

12. Page 16, line 9.

Strike: "21"

Insert: "16"

13. Page 16, line 29.

Strike: "21"

Insert: "16"

14. Page 17, line 7.

Strike: "21"

Insert: "16"

15. Page 17, line 21.

Strike: "21"

Insert: "16"

16. Page 18, line 3.

Strike: "21"

Insert: "16"

17. Page 18, line 5.

Strike: "19 through 24"

Insert: "14 through 19"

18. Page 18, line 6.

Strike: "19 through 24"

Insert: "14 through 19"

19. Page 18, following line 8.

Insert: "Section 20. Section 37-17-104, MCA, is amended to read:

"37-17-104. **Exemptions.** (1) Except as provided in subsection (2), this chapter does not prevent:

(a) qualified members of other professions, such as physicians, social workers, lawyers, pastoral counselors, professional counselors licensed under Title 37, chapter 23, or educators, from doing work of a psychological nature consistent with their training if they do not hold themselves out to the public by a title or description incorporating the words "psychology", "psychologist", "psychological", or "psychologic";

(b) the activities, services, and use of an official title clearly delineating the nature and level of training on the part of a person in the employ of a federal, state, county, or municipal agency or of other political subdivisions or an educational institution, business corporation, or research

laboratory insofar as these activities and services are a part of the duties of the office or position within the confines of the agency or institution;

(c) the activities and services of a student, intern, or resident in psychology pursuing a course of study at an accredited university or college or working in a generally recognized training center if these activities and services constitute a part of the supervised course of study of the student, intern, or resident in psychology;

(d) the activities and services of a person who is not a resident of this state in rendering consulting psychological services in this state when these services are rendered for a period which does not exceed, in the aggregate, 60 days during a calendar year if the person is authorized under the laws of the state or country of that person's residence to perform these activities and services. However, these persons shall report to the department the nature and extent of the services in this state prior to providing those services if the services are to exceed 10 days in a calendar year.

(e) a person authorized by the laws of the state or country of the person's former residence to perform activities and services, who has recently become a resident of this state and who has submitted a completed application for a license in this state, from performing the activities and services pending disposition of the person's application; and

(f) the offering of lecture services.

(2) Those qualified members of other professions described in subsection (1)(a) may indicate and hold themselves out as performing psychological testing, evaluation, and assessment, as described in 37-17-102(4)(b), provided that they are qualified to administer the test and make the evaluation or assessment.

(3) The board of social work examiners, ~~and~~ professional counselors, and marriage and family therapists shall adopt rules that qualify a licensee under Title 37, chapter 22 or 23, to perform psychological testing, evaluation, and assessment. The rules for licensed clinical social workers and professional counselors must be consistent with the guidelines of their respective national associations. Final rules must be adopted by October 1, 2010. A qualified licensee providing services under this exemption shall comply with the rules no later than 1 year from the date of adoption of the rules."

{Internal References to 37-17-104: None.}"

Renumber: subsequent sections

20. Page 18, line 20.

Strike: "28"

Insert: "23"

21. Page 19, line 6 through line 29.

Strike: section 26 in its entirety

Renumber: subsequent sections

22. Page 22, line 16.

Strike: "31"

Insert: "26"

23. Page 26, line 11.

Strike: "35"

Insert: "30"

24. Page 56, line 3 through line 4.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

25. Page 56, line 5.

Strike: "19 through 24"

Insert: "14 through 19"

26. Page 56, line 6.

Strike: "19 through 24"

Insert: "14 through 19"

27. Page 56, line 7.

Strike: "28"

Insert: "23"

28. Page 56, line 8.

Strike: "28"

Insert: "23"

29. Page 56, line 9.

Strike: "31"

Insert: "26"

30. Page 56, line 10.

Strike: "31"

Insert: "26"

31. Page 56, line 11.

Strike: "35"

Insert: "30"

32. Page 56, line 12.

Strike: "35"

Insert: "30"

33. Page 56, line 14.

Strike: "59 and 60"

Insert: "54 and 55"

- END -